

DETAILED ACTION

Acknowledgements

1. Claims 1-20 are pending.
2. Claims 1-20 have been examined.

Claim Rejections - 35 USC § 112, Second Paragraph

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-9, 14, 16. 17, and 18 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. The claims are replete with errors. Some examples follow:

5. Claims 1, 16, 17, and 18: “overlaid on the first layer” is indefinite because the first layer is not required to be displayed and therefore will not necessarily be possible to overlay.

Therefore it is unclear what the second layer will overlay in the instance when the first layer is not displayed.

- a. The Examiner recommends simply claiming that the first layer is displayed.

6. Claims 4 and 5 recites the limitation “not acquired over a network” when acquired via a “Web browser.” The claim is unclear because it appears that Applicants network is intended to exclude many forms of networks such as a shared network drive, but as currently written a

character string will always be present to indicate the electronic document file is acquired over a network.

7. Claim 14 recites the limitation “determining whether the path includes the character string “http://” only when the viewing apparatus is determined to be permitted to view the electronic document file” which effectively negates claim 13 since claim 13 has already made this determination therefore it is unclear how claim 14 can cancel the determination that has already been made.

8. The Examiner concludes that because the claims are indefinite under 35 U.S.C. §112 2nd paragraph, it is impossible to properly construe claim scope at this time. See *Honeywell International Inc. v. ITC*, 68 USPQ2d 1023, 1030 (Fed. Cir. 2003) (“Because the claims are indefinite, the claims, by definition, cannot be construed.”). However, in accordance with MPEP §2173.06 and the USPTO’s policy of trying to advance prosecution by providing art rejections even though these claim are indefinite, the claims are construed and the art is applied *as much as practically possible*.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-5 and 10-20, as best understood by the Examiner, are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2003/0115481 to Baird et al., hereinafter referred to as Baird, in view of U.S. Patent No. 5,581,682 to Anderson et al., hereinafter referred to as Anderson, in further view of U.S. Patent No. 5,949,432 to Gough et al., hereinafter referred to as Gough.

11. Regarding **claims 1 and 16 part 2, 17, and 18**, Baird discloses a viewing apparatus (“*Computer 108*” [fig. 1]) comprising:

an acquiring unit (“*Communication Module 130*” [fig. 1]) operable to acquire an electronic document file (“*The Computer Receives a Document from a Source*” [fig. 4]) containing a first [portion] (“*complete (i.e., unredacted) version of the received document*” [0036]) defined to present a document image (“*complete version of the received document*” [0036]) and a second [portion] (“*redacted version*” [0036]) defined to cover at least part of the first [portion] (“*redacts the unauthorized portions of the document (block 414) and displays the redacted version*” [0036]; [fig. 4]);

a control unit (“*Authorization Module 134*” [fig. 1]) operable to set a display [manner] (“*Authorized to View the Complete Version? – 410*” [fig. 4]) of the second [portion] (“*redacted version*” [0036]) depending on a pattern (“*source of the request*” [0007]) of viewing the electronic document file (“*authorization level associated with the source of the request*” [0007]); and

a display unit (“*Rendering Module*” [fig. 1]) operable to display the first and second [portions] (“*Display the Redacted Version of the Document - 416*” [fig. 4]), the second [portion]

being displayed (“*redacted version*” [0036]) in the display [manner] set by the control unit (“*depending on the access privileges of the user or system*” [0006]) and overlaid on the first [portion] (“*portion of the document is redacted, the remainder of the document can be viewed*” [0006]).

12. But Baird does not explicitly disclose a display mode (although Baird does disclose a manner of display such as redacted or not redacted) or layers (although redactions are usually layered).

13. However, Anderson teaches a display mode (“*hierarchy of access*” [col. 2, ll. 20-47]; “*assign a hierarchy of access to different annotations and annotations can be selectively added or peeled back to reveal the final form page and selective redactions can be applied either to the final form text or to an annotation*” [col. 2, ll. 20-47]).

14. And Gough teaches layers ([figs. 2-3i]).

15. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the teaching of Anderson in further view of Gough, in order to enhance functionality by providing a separate mode of operation that can display separate layers because a separate display mode and separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.

16. Regarding **claim 2**, Baird discloses wherein the control unit (“*Authorization Module 134*” [fig. 1]) includes:

a judging unit (“*procedure 300*” [fig. 3]) operable to judge whether the electronic document file is acquired over a network (“*identifies the source of the request*” [0033]); a setting unit (“*Authorized to Receive the Complete Version? – 312*” [fig. 3]) operable to set the second [portion] to a transparent mode (“*Transmit the Complete Version*” if yes - 314 [fig. 3]) if the judgment is affirmative (yes – 314 [fig. 3]), and to a non-transparent mode if the judgment is negative (“*Transmit the Redacted Version*” if no - 318 [fig. 3]); and the display unit (“*Rendering Module*” [fig. 1]) is operable to display the second [portion] transparently in the transparent mode so that the document image is visible (“*Display the Complete Version of the Document - 412*” [fig. 4]), and display the second [portion] non-transparently in the non-transparent mode so that the document image is not visible (“*Display the Redacted Version of the Document - 416*” [fig. 4]).

17. But Baird does not explicitly disclose layers (although redactions are usually layered).
18. However, Gough teaches layers ([figs. 2-3i]).
19. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the teaching of Gough, in order to enhance functionality by providing a separate layers because separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.
20. Regarding **claim 3**, Baird discloses wherein the acquiring unit (“*Communication Module 130*” [fig. 1]) is operable to acquire the electronic document file (“*Document N – 120*” [fig. 1]) containing:

a judgment instruction (“*Authorization Level Required to View the Received Document*” [fig. 4]; “*determination may be based on the confidentiality of the information, such as confidential corporate or employee information*” [0035]) for judging whether the electronic document file is acquired over a network (“*source of the request is authorized to receive the requested document*” [0007]; “*identifies the source of the request (block 304). The source of the request may be identified as an individual user or identified as a computer system (e.g., a client computer system). The source of the request may identify itself in the request using a user ID or a computer ID*” [0033]);

a mode setting instruction (“*manner in which an image or other portion of a document is to be redacted may be contained in the image or document itself*” [0031]) for setting the second [portion] to the transparent mode if the judgment is affirmative (“*Transmit the Complete Version*” if yes - 314 [fig. 3]) and to the non-transparent mode if the judgment is negative (“*Transmit the Redacted Version*” if no - 318 [fig. 3]); and

a display instruction (“*manner in which an image or other portion of a document is to be redacted may be contained in the image or document itself*” [0031]) for displaying the first and second [portions] with the second [portion] being overlaid on the first [portion] (“*One or more portions of a document can be redacted [by] ... making the entire portion a solid color, such as black or white, thereby hiding the content of the document portion*” [0023]),

the judging unit (“*procedure 300*” [fig. 3]) is operable to execute the judgment instruction (“*Authorization Level Required to View the Received Document*” [fig. 4]; “*determination may be based on the confidentiality of the information, such as confidential corporate or employee information*” [0035]),

the setting unit (“*Authorized to Receive the Complete Version? – 312*” [fig. 3]) is operable to execute the mode setting instruction (“*manner in which an image or other portion of a document is to be redacted may be contained in the image or document itself*” [0031]), and the display unit (“*Rendering Module*” [fig. 1]) is operable to execute the display instruction (“*manner in which an image or other portion of a document is to be redacted may be contained in the image or document itself*” [0031]).

21. But Baird does not explicitly disclose layers (although redactions are usually layered).
22. However, Gough teaches layers ([figs. 2-3i]).
23. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the teaching of Gough, in order to enhance functionality by providing a separate layers because separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.
24. Regarding **claims 4 and 12**, Baird discloses wherein the acquiring unit includes a Web browser (“*document may also be one or more web pages*” [0020]; “*web pages*” [0023]; “*changing web page*” [0032]), and the judging unit (“*procedure 300*” [fig. 3]) is operable to [judge].
25. But Baird does not explicitly disclose determining whether a path of the electronic document file includes a predetermined character string, and judge that the electronic document file is acquired over a network if the predetermined character string is included and that the

electronic document file is not acquired over a network if the predetermined character string is not included.

26. However, Anderson teaches determining (“*messages sent according to the HTTP are addressed according to Uniform Resource Locators, or "URLs"*” [col. 18, ll. 26-47]), whether a path of the electronic document file includes a predetermined character string (““*URLs*”” [col. 18, ll. 26-47]), and judge that the electronic document file is acquired over a network if the predetermined character string is included (““*URLs*”, which determine ... which protocol to use to access the resource”” [col. 18, ll. 26-47]) and that the electronic document file is not acquired over a network if the predetermined character string is not included (““*URLs*”, which determine ... which protocol to use to access the resource” such as *c:\|* would indicate not acquired over a network [col. 18, ll. 26-47]).

27. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included determining whether a path of the electronic document file includes a predetermined character string, and judge that the electronic document file is acquired over a network if the predetermined character string is included and that the electronic document file is not acquired over a network if the predetermined character string is not included, in accordance with the teaching of Anderson, in order to enable the system to make determination about which protocol to use based on the character string present in the URL because said character string would determine the protocol.

28. Regarding **claims 5 and 13**, Baird does not explicitly disclose wherein the judging unit is operable to determine whether a path of the electronic document file includes the predetermined

character string "http://", and judge that the electronic document file is acquired over a network if the predetermined character string "http://" is included and that the electronic document file is not acquired over a network if the predetermined character string "http://" is not included.

29. However, Anderson teaches wherein the judging unit is operable to determine whether a path of the electronic document file includes the predetermined character string "http://" ("messages sent according to the HTTP are addressed according to Uniform Resource Locators, or "URLs"") [col. 18, ll. 26-47]), and judge that the electronic document file is acquired over a network if the predetermined character string "http://" is included ("URLs", which determine ... which protocol to use to access the resource" [col. 18, ll. 26-47]) and that the electronic document file is not acquired over a network if the predetermined character string "http://" is not included ("URLs", which determine ... which protocol to use to access the resource" such as c:\ would indicate not acquired over a network [col. 18, ll. 26-47]).

30. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included wherein the judging unit is operable to determine whether a path of the electronic document file includes the predetermined character string "http://", and judge that the electronic document file is acquired over a network if the predetermined character string "http://" is included and that the electronic document file is not acquired over a network if the predetermined character string "http://" is not included, in accordance with the teaching of Anderson, in order to enable the system to make determination about which protocol to use based on the character string present in the URL because said character string would determine the protocol.

31. Regarding **claims 10, 16 part 1, 19, and 20**, Baird discloses an electronic document file creating apparatus (“*Server 102*” [fig. 1]) for creating an electronic document file (“*Document N – 120*” [fig. 1]) configured to be displayed in a different mode depending on a pattern in which the electronic document file is viewed (“*Information Display Policies – 114*” [fig. 1]), comprising:

a storage unit (“*Mass Storage Device - 506*” [fig. 5]; “*Computer system 500 can be, for example, a server such as server 102*” [0037]) operable to store a first [portion] defined to present a document image (“*Document N – 120*” [fig. 1]);

a second [portion] creating unit (“*Document control module 112*” [fig. 1]; [0019]) operable to create a second [portion] defined to cover at least part of the first [portion] (“*determine which portions of a particular document may be distributed to a requesting client computer*” [0019]; “*Redact the Unauthorized Portions of the Document - 316*” [fig. 3]);

a control information creating unit (“*Information Display Policies – 114*” [fig. 1]) operable to create viewing control information for changing a display [manner] of the second [portion] depending on a viewing pattern (“*determine which portions of a particular document may be distributed to a requesting client computer*” [0019]; “*Redact the Unauthorized Portions of the Document - 316*” [fig. 3]); and

a creating unit (“*Document control module 112*” [fig. 1]; [0019]) operable to create an electronic document file containing the first [portion], the second [portion], and the viewing control information (“*Transmit the Redacted Version*” if no - 318 [fig. 3]).

32. But Baird does not explicitly disclose a display mode (although Baird does disclose a manner of display such as redacted or not redacted) or layers (although redactions are usually layered).

33. However, Anderson teaches a display mode (“*hierarchy of access*” [col. 2, ll. 20-47]; “*assign a hierarchy of access to different annotations and annotations can be selectively added or peeled back to reveal the final form page and selective redactions can be applied either to the final form text or to an annotation*” [col. 2, ll. 20-47]).

34. And Gough teaches layers ([figs. 2-3i]).

35. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the teaching of Anderson in further view of Gough, in order to enhance functionality by providing a separate mode of operation that can display separate layers because a separate display mode and separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.

36. Regarding **claim 11**, Baird discloses wherein the control information creating unit is operable to create the viewing control information (“*Information Display Policies – 114*” [fig. 1]) containing:

a judgment instruction (“*Information Display Policies – 114*” [fig. 1]; “*Authorized to View the Complete Version? – 410*” [fig. 4]) for judging, when the electronic document file is displayed on a viewing apparatus (“*Authorized to View the Complete Version? – 410*” [fig. 4]),

whether the electronic document file is supplied to the viewing apparatus over a network

(“*authorization level associated with the source of the request*” [0007]);

a [manner] setting instruction (“*Information Display Policies – 114*” [fig. 1]; “*Authorized to View the Complete Version? – 410*” [fig. 4]) for setting the second [portion] to a transparent mode if the judgment is affirmative (“*Display the Complete Version of the Document - 412*” [fig. 4]) and to a non-transparent mode if the judgment is negative (“*Display the Redacted Version of the Document - 416*” [fig. 4]); and

a display instruction (“*Rendering Module*” [fig. 1]) for displaying the first and second [portions] with the second [portion] being overlaid on the first [portion] (“*Display the Redacted Version of the Document - 416*” [fig. 4]).

37. But Baird does not explicitly disclose a display mode (although Baird does disclose a manner of display such as redacted or not redacted) or layers (although redactions are usually layered).

38. However, Anderson teaches a display mode (“*hierarchy of access*” [col. 2, ll. 20-47]; “*assign a hierarchy of access to different annotations and annotations can be selectively added or peeled back to reveal the final form page and selective redactions can be applied either to the final form text or to an annotation*” [col. 2, ll. 20-47]).

39. And Gough teaches layers ([figs. 2-3i]).

40. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the teaching of Anderson in further view of Gough, in order to enhance functionality by providing a separate mode of operation that can display separate layers

because a separate display mode and separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.

41. Regarding **claim 14**, Baird discloses wherein the judgment instruction contains identification information identifying an apparatus that is permitted to view the electronic document file (“*source of the request may be identified ... as a computer system (e.g., a client computer system)*” [0033]; “*Determine an Authorization Level Required to View the Received Document – 404*” [fig. 4]), and

the judgment instruction is for determining (“*Authorized to View the Complete Version? – 410*” [fig. 4]), using the identification information (“*Authorized to View the Complete Version? – 410*” [fig. 4]), whether the viewing apparatus is permitted to view the electronic document file (“*Authorized to View the Complete Version? – 410*” [fig. 4]),

42. But Baird does not explicitly disclose determining whether the path includes the character string “http://” only when the viewing apparatus is determined to be permitted to view the electronic document file.

43. However, Anderson teaches determining whether the path includes the character string “http://” (“*messages sent according to the HTTP are addressed according to Uniform Resource Locators, or "URLs"*” [col. 18, ll. 26-47]) only when the viewing apparatus is determined to be permitted to view the electronic document file (“*messages sent according to the HTTP are addressed according to Uniform Resource Locators, or "URLs"*” [col. 18, ll. 26-47]).

44. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included determining whether the

path includes the character string "http://" only when the viewing apparatus is determined to be permitted to view the electronic document file, in accordance with the teaching of Anderson, in order to enable the system to make determination about which protocol to use based on the character string present in the URL because said character string would determine the protocol.

45. Regarding **claim 15**, Baird discloses a document input unit operable to receive a document ("Communication Module - 130" [fig. 1]);
 - a first layer creating unit ("Rendering Module - 136" [fig. 1]) operable to create the first layer from the received document ("Display the Complete Version of the Document - 412" [fig. 4]) and stores the first layer to the storage unit ("Mass Storage Device - 506" [fig. 5]; "Computer system 500 can be ... client computers 106 or 108 of FIG. 1" [0038]);
 - a holding unit operable to store the electronic document file created by the creating unit ("Mass Storage Device - 506" [fig. 5]; "Computer system 500 can be ... client computers 106 or 108 of FIG. 1" [0038]);
 - a request receiving unit ("Communication Module - 110" [fig. 1]) operable to receive a transmission request for the electronic document file from a viewing apparatus ("Server Receives a Request for a Particular Document - 302" [fig. 3]); and
 - a transmitting unit ("Communication Module - 110" [fig. 1]) operable to, upon receipt of the transmission request ("Request - 302" [fig. 3]), read the electronic document file from the holding unit ("Mass Storage Device - 506" [fig. 5]; "Computer system 500 can be ... client computers 106 or 108 of FIG. 1" [0038]) and transmit the electronic document file to the

viewing apparatus that issued the transmission request (“*Transmit the Redacted Version of the Document to the Source of the Request – 318*” [fig. 3]).

46. Regarding **claim 16**, See above “claim 16 part 1” and “claim 16 part 2” (*grouped with claims 10 and 1 respectively*).

47. Claims 6-9, as best understood by the Examiner, are rejected under 35 U.S.C. §103(a) as being unpatentable over Baird, in view of Anderson, in further view of Gough, in further view of U.S. Patent No. 6,519,564 to Hoffberg et al., hereinafter referred to as Hoffberg.

48. Regarding **claim 6**, Baird does not explicitly disclose wherein the judging unit includes: a first determining unit operable to determine whether the path includes the predetermined character string "http://"; and a second determining unit operable to determine whether the electronic document file is being executed using plug-in software or application software, the judging unit is operable to judge that the electronic document file is acquired over a network if the first determining unit determines affirmatively and the second determining unit determines that plug-in software is used, and otherwise judge that the electronic document file is not acquired over a network.

49. However, Anderson teaches wherein the judging unit includes: a first determining unit operable to determine whether the path includes the predetermined character string "http://" (“*messages sent according to the HTTP are addressed according to Uniform Resource Locators*,”

or "URLs" [col. 18, ll. 26-47]), the judging unit is operable to judge that the electronic document file is acquired over a network if the first determining unit determines affirmatively ("URLs", which determine ... which protocol to use to access the resource" [col. 18, ll. 26-47]) and otherwise judge that the electronic document file is not acquired over a network ("URLs", which determine ... which protocol to use to access the resource" such as c:\ would indicate not acquired over a network [col. 18, ll. 26-47]).

50. Furthermore, Hoffberg teaches a second determining unit operable to determine whether the electronic document file is being executed using plug-in software or application software ("This extension enables, for example, to automatically open the proper software applications (or "plug-ins") in the user's browser when the hyperlink is clicked" [col. 1, l. 24 – col. 2, l. 15]), and the second determining unit determines that plug-in software is used ("This extension enables, for example, to automatically open the proper software applications (or "plug-ins") in the user's browser when the hyperlink is clicked" [col. 1, l. 24 – col. 2, l. 15]).

51. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included wherein the judging unit includes: a first determining unit operable to determine whether the path includes the predetermined character string "http://"; and a second determining unit operable to determine whether the electronic document file is being executed using plug-in software or application software, the judging unit is operable to judge that the electronic document file is acquired over a network if the first determining unit determines affirmatively and the second determining unit determines that plug-in software is used, and otherwise judge that the electronic document file is not acquired over a network, in accordance with the teaching of Anderson in further view of

Hoffberg, in order to enable the system to make determination about which protocol or software to use based on the character string present in the URL because said character string would determine the protocol/plug-in/software to be used.

52. Regarding **claim 7**, Baird discloses wherein the viewing apparatus (“*Computer 108*” [fig. 1]) stores first identification information identifying the viewing apparatus (“*source of the request may be identified ... as a computer system (e.g., a client computer system)*” [0033]), the electronic document file contains second identification information identifying an apparatus permitted to view the electronic document file (“*Determine an Authorization Level Required to View the Received Document – 404*” [fig. 4]);

the judging unit is operable to judge whether the first identification information matches the second identification information (“*Authorized to View the Complete Version? – 410*” [fig. 4]), and cause the first and second determining units to make the respective determinations when the first and second identification information matches (“*Yes – Display the Complete Version of the Document – 412*” [fig. 4]), and

the [server’s] control unit is operable to set the second [portion] to the non-transparent mode (“*Transmit the Redacted Version of the Document – 318*” [fig. 3]) prior to (“*Receives – 402*” [fig. 4]) the determinations by the first and second determining units if the first and second identification information does not match (“*No – Redact the Unauthorized Portions of the Document - 414*” [fig. 4]).

53. But Baird does not explicitly disclose the viewing apparatus’ control unit performing this function and Baird does not explicitly disclose layers.

54. However, Baird teaches a control unit performing this function (server's control unit) prior to the determinations [fig. 3].

55. Furthermore, Gough teaches layers ([figs. 2-3i]).

56. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the further teaching of Baird and further teachings of Gough, in order to enhance security and functionality by providing the redaction prior to the determination and by providing a separate layers because separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.

57. Regarding **claim 8**, Baird discloses wherein the electronic document file contains time information showing a predetermined time period (“*Thus, the additional bits of data may also define the particular region (or regions) of the document to redact at a particular time*” [0032]), and

the control unit (“*Authorization Module 134*” [fig. 1]) includes:

an offline control unit (“*Authorization Module 134*” works offline as well [fig. 1]) operable to set the second [portion] to the transparent mode even if the electronic document file is judged not acquired over a network (“*Yes – Display the Complete Version of the Document - 412*” [fig. 4]), measure a time period during which the display unit displays the electronic document file (*time before “redact at a particular time”* [0032]), and set the second [portion] to the non-transparent mode when the measured time period reaches the predetermined time period shown by the time information (*time after “redact at a particular time”* [0032]).

58. But Baird does not explicitly disclose layers (although redactions are usually layered).

59. However, Gough teaches layers ([figs. 2-3i]).

60. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included a display mode and layers, in accordance with the teaching of Gough, in order to enhance functionality by providing a separate layers because separate layers permits greater functionality to be put in place such as an access hierarchy and associated redaction permissions.

61. Regarding **claim 9**, Baird does not explicitly disclose wherein the judging unit is operable to determine whether the electronic document file is being executed using plug-in software or application software, and judge that the electronic document file is acquired over a network if the plug-in software is used and that the electronic document file is not acquired over a network if the application software if used.

62. However, Hoffberg teaches wherein the judging unit is operable to determine whether the electronic document file is being executed using plug-in software or application software (“*This extension enables, for example, to automatically open the proper software applications (or "plug-ins") in the user's browser when the hyperlink is clicked*” [col. 1, l. 24 – col. 2, l. 15]), and judge that the electronic document file is acquired over a network if the plug-in software is used (“*This extension enables, for example, to automatically open the proper software applications (or "plug-ins") in the user's browser when the hyperlink is clicked*” [col. 1, l. 24 – col. 2, l. 15]) and that the electronic document file is not acquired over a network if the application software if used (“*This extension enables, for example, to automatically open the*

proper software applications (or "plug-ins") in the user's browser when the hyperlink is clicked" [col. 1, l. 24 – col. 2, l. 15]).

63. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Baird so as to have included wherein the judging unit is operable to determine whether the electronic document file is being executed using plug-in software or application software, and judge that the electronic document file is acquired over a network if the plug-in software is used and that the electronic document file is not acquired over a network if the application software if used, in accordance with the teaching of Hoffberg, in order to enable the system to make determination about which protocol or software to use based on the character string present in the URL because said character string would determine the protocol/plug-in/software to be used.

Claim Interpretation

64. After careful review of the original specification, the Examiner is unable to locate any lexicographic definitions with the required clarity, deliberateness, and precision. See MPEP § 2111.01 IV.

65. Because the examined claims recite neither "step for" nor "means for", the examined claims fail Prong (A) as set forth in MPEP §2181. Because all examined claims fail Prong (A) as set forth in MPEP §2181, the Examiner concludes that all examined claims do not invoke 35 U.S.C. §112, 6th Paragraph.

Conclusion

66. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to C. Aaron McIntyre whose telephone number is (571) 270-5401. The Examiner can normally be reached on Monday to Friday 9-6 ET.

67. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

68. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. A. M./
Examiner, Art Unit 3621
March 26, 2010

/Calvin L Hewitt II/
Supervisory Patent Examiner, Art Unit 3685